IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

ITED STATES OF AMERICA	0.0004.1420		
Plaintiff,) 8:09MJ139)		
vs.) DETENTION ORDER		
RIGOBERTO ESPINOZA-RAYA,			
Defendant.	;		
Order For Detention After conducting a detention hearing pursua Act on July 1, 2009, the Court orders the a to 18 U.S.C. § 3142(e) and (i).	ant to 18 U.S.C. § 3142(f) of the Bail Reform bove-named defendant detained pursuant		
conditions will reasonably assure the By clear and convincing evidence th			
U.S.C. § 408 carries imprisonment. (b) The offense is a crime of the offense involves a new color (c) The offense involves a new color (d) The offense involves a law (2) The weight of the evidence against (a) The history and characteristics (a) General Factors: The defendant of the evidence against (a) General Factors: The defendant of the d	es Report, and includes the following: ne offense charged: a Social Security number in violation of 42 a maximum sentence of five years f violence. harcotic drug. harge amount of controlled substances, to wit: hainst the defendant is high. of the defendant including: appears to have a mental condition which ther the defendant will appear. has no family ties in the area. has no substantial financial resources. Is not a long time resident of the community. does not have any significant community the defendant: use of an alias name. has a history relating to drug abuse. has a significant prior criminal record. has a prior record of failure to appear at		
	Plaintiff, vs. Defendant. Order For Detention After conducting a detention hearing pursua Act on July 1, 2009, the Court orders the att o 18 U.S.C. § 3142(e) and (i). Statement Of Reasons For The Detention The Court orders the defendant's detention Act on July 1, 2009, the Court orders the att o 18 U.S.C. § 3142(e) and (i). Statement Of Reasons For The Detention The Court's finding reasonably assure the suffer of the evidence of the evidence of the will reasonably assure the safety of the Will reasonably assure the safety of the Court's findings are based on the evidence which was contained in the Pretrial Service (a) The crime: false use of U.S.C. § 408 carries imprisonment. (b) The offense involves a reasonable of the evidence again (b) The offense involves a late (c) The weight of the evidence again (d) The offense involves a late (e) The defendant in		

DETENTION ORDER - Page 2

		Release pending trial, sentence, appeal or completion of
		sentence.
(c)	Other F	actors:
` ,	X	The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
	X	The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
		Other:

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: July 1, 2009.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge